

**Enrolled Minutes of the Forty-Ninth Regular (Rescheduled) Meeting  
Of the Twenty-Sixth Highland Town Council  
Wednesday, January 13, 2010**

*Study Session.* The Twenty-Sixth Town Council of the Town of Highland, Lake County, Indiana met in a study session preceding the regular but rescheduled meeting on Wednesday, January 13, 2010 at 6:30 O'clock P.M. in the regular place, the upper meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

*Silent Roll Call:* Councilors Bernie Zemen, Mark A. Herak, Dan Vassar, Brian Novak and Konnie Kuiper were present. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

**General Substance of Matters Discussed.**

1. The Town Council discussed the agenda of the imminent meeting.
2. The Town Council discussed and reviewed the list of appointments.

The study session ended at 6:59 O'clock p.m.

*Regular Meeting.* The Twenty Sixth Town Council of the Town of Highland, Lake County, Indiana met in its regular (rescheduled) session on Wednesday, January 13, 2010 at 7:00 O'clock p.m. in the regular place, the plenary meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

The Town Council President Dan Vassar presided and the Town Clerk-Treasurer was present to memorialize the proceedings.

The session was opened with the Town Councilor Konnie Kuiper leading the pledge of allegiance to the United States Flag and offering a prayer.

**Roll Call:** Councilors Bernie Zemen, Mark A. Herak, Dan Vassar, Brian Novak and Konnie Kuiper were present. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

**Additional Officials Present:** Rhett L. Tauber, Town Council Attorney; Kenneth J. Mika, Building Commissioner; William R. Timmer, CFOD, Fire Chief; and Cecile Petro, Redevelopment Director.

Laurel Roach of the Community Events Commission; Dan Stombaugh of the Town Board of Metropolitan Police Commissioners; Ed Dabrowski of the Park and Recreation Board and Dominic Noce of the Redevelopment Commission were also present.

**Minutes of the Previous Session**

The minutes of the regular meeting of 29 December 2009 were approved by general consent.

**Special Orders:**

1. Action to authorize and *ratify* the re-scheduling of the meeting of January 11, 2010 to today, January 13, 2010 at 7:00 p.m. *Section § 30.27 (D) of the Municipal Code, provides for a two-thirds vote to reschedule a meeting. IC 36-1-4-16 permits ratification of the act.*

Councilor Herak moved to authorize and ratify the re-scheduling of the meeting as indicated. Councilor Kuiper seconded. Upon a roll call vote, a two-thirds vote being necessary, there were five affirmatives and no negatives. The motion passed. The rescheduled meeting was authorized.

2. Election of the **Town Council President** and the **Town Council Vice President** for 2010 pursuant to § 30.04 of the Highland Municipal Code.

Councilor Zemen moved to elect Councilor Mark Herak as President and Councilor Kuiper as Vice President. Councilor Novak seconded. Upon a roll call vote, there were five affirmatives and no negatives. Councilor Herak was elected the 58<sup>th</sup> President of the Highland Town Council. Councilor Kuiper was elected Vice President.

Councilor Herak assumed the chair and Councilor Vassar transferred the gavel. Council President Herak thanked Councilor Vassar for his service as President.

**Staff Reports:** The Council received the following reports as information for the record:

• **Building & Inspection Report for December 2009**

Permit Type	No.	Residential	Commercial	Est. Cost	Fees
Single Family	0	0	0	\$0.00	\$0.00
Duplex/Condo	0	0	0	\$0.00	\$0.00
Commercial	0	0	0	\$0.00	\$0.00
Residential	34	34	0	\$194,541.00	\$3,937.50
Addit/Remodel					
Commercial	5	0	5	\$149,911.00	\$2,407.00
Addit/Remodel					
Schools/Church remodel/addtn.	0	0		\$0.00	\$0.00
Sheds	1	0	1	\$1,500.00	\$338.50
Fences	4	4	0	\$16,073.00	\$446.00
Garage	0	0	0	\$0.00	\$0.00
Decks & Porches	1	1		\$2,000.00	\$181.00
Swimming Pools	0	0	0	\$0.00	\$0.00
Misc. Permits	1	1	0	\$0.00	\$91.50
Drain tile/Waterproofing	4	4	0	\$20,323.00	\$633.00
Signs	1	0	1	\$0.00	\$265.50
Fire Repair	0	0	0	\$0	\$0
<b>Total:</b>	<b>51</b>	<b>44</b>	<b>7</b>	<b>\$385,848.00</b>	<b>\$8,300.00</b>
<b>Electrical Permits</b>	<b>8</b>	<b>7</b>	<b>1</b>		<b>\$594.50</b>
<b>Mechanical Permits</b>	<b>6</b>	<b>5</b>	<b>1</b>	<b>0</b>	<b>\$477.00</b>
<b>Plumbing Permits</b>	<b>5</b>	<b>5</b>	<b>0</b>		<b>\$645.00</b>
<b>Water Meters</b>	<b>1</b>	<b>0</b>	<b>1</b>		<b>\$230.00</b>
<b>Water Taps</b>	<b>0</b>	<b>0</b>	<b>0</b>		<b>\$0.00</b>
<b>Sewer Taps</b>	<b>0</b>	<b>0</b>	<b>0</b>		<b>\$0.00</b>
<b>Total:</b>	<b>6</b>	<b>5</b>	<b>1</b>		<b>\$875.00</b>

**December Code Enforcement:** 105 warnings issued and 19 citations were issued.

There were 30 final building inspections, 12 plumbing inspections, and 23 electrical inspections. There were no electrical exams given.

• **Fire Department Report for December 2009**

	Month	Y.T.D.	Previous Y.T.D.	Task Hours
General Alarms	11	115	152	
Car Fires	5	16	17	
Still Alarms	5	86	146	
Ambulance calls	0	0	1	

• **Workplace Safety Report for December 2009**

There were two incidents reported in December. The following incident summary was filed:

Department	Injuries this Month	Year to Date 2009	Total in 2008	Restricted Days 2009	Lost Workdays This Year	Restricted Days Last Year (2008)	Lost Workdays Last Year (2008)
Parks	0	2	3	0	0	0	0
Fire	0	0	1	0	0	0	0
Police	0	9	8	0	0	0	21
Street	1	4	6	0	0	3	2
Water & Sewer	1	4	6	0	82	21	0
Maint.	0	0	0	0	0	0	0
Other	0	0	1	0	0	0	0
<b>TOTALS</b>	2	19	25	0	82	24	23

Effective January 1, 2002, OSHA changed the record keeping guidelines. The municipality now counts the number of days lost from the day after the injury until the employee returns to work. Weekend, holidays, vacation days or other days scheduled off are included in the lost days count to a maximum of 180 days.

**Appointments:**

• **Statutory Boards and Commissions**

Executive Appointments made by Town Council President

Legislative or Fiscal Body Appointments made by Town Council

*Executive Appointments*

1. **Municipal Plan Commission** (2) appointments to be made by Town Council President.  
(Note: one position is owing to resignation of J. Mayer)

The Town Council President made the reappointment of **Robert Montgomery, (R)** 3423-42<sup>nd</sup> Street, for term ending on 1<sup>st</sup> Monday of January 2014. The Town Council President then made the appointment of **Thomas Vander Woude, ( I )** 3329 Lincoln Street, to the unexpired term of Judith Mayer, expiring on first Monday in January 2013.

2. **Redevelopment Commission** (3) appointments to be made by Town Council President.

The Town Council President made the reappointment of **Tom Crowel**, 10132 White Oak Lane, for term ending on the first day in January 2011. The Town Council President made the appointment of **Michael Maloney**, 8748 Prairie Avenue and **Bridget DeYoung**, 2645-37<sup>th</sup> Street each for a term ending on the first day in January 2011.

3. **Economic Development Commission: (1)** appointment to be made by Town Council President.

The Town Council President indicated that he was not prepared to make this appointment.

4. **Waterworks Board of Directors:** (1) appointment to be made by Town Council President.

The Town Council President made the re-appointment of *Gerald McMahon*, (D) 10124 Fourth Place, to a term expiring on the first Monday in 2013.

5. **Board of Sanitary Commissioners:** (1) appointment to be made by Town Council President.

The Town Council President appointed *Mark Knesek* (No party), 8118 Grace Street, Highland as a member of the Board of Sanitary Commissioners, term to run until 31 December 2013.

6. **Advisory Board of Zoning Appeals** (1) appointment to be made by Town Council President.

The Town Council President appointed *Vernon D. Sieb*, 3024 Lakeside Drive, Highland as a member of the Advisory Board of Zoning Appeals, term to run until first Monday in January 2014.

#### Home Rule Commissions

7. **Community Events Commission:** (1) appointment to be made by the Town Council President. **Term: 4 years.**

The Town Council President announced the reappointment of *Lisa Gauthier*, 9035 Pettit Drive, to a term ending January 1, 2014.

#### Legislative Appointments

1. **Park and Recreation Board** (1) appointment to be made by Town Council.

Councilor Vassar moved the reappointment of *Ed Dabrowski*, (R) 3636-38<sup>th</sup> Street, for a term ending on the first Monday of January 2014. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed Mr. Dabrowski was reappointed.

2. **Town Board of Metropolitan Police Commissioners** (2) appointments to be made by Town Council.

Councilor Zemen moved and Councilor Kuiper seconded the re-appointment of *Dan Stombaugh* (R), 2209 Wirth Road and *Andrew Hein* (R), 8932 Arbor Hill Drive, to terms on the Town Board of Metropolitan Police Commissioners to expire on January 1, 2013. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The persons were appointed.

3. **Redevelopment Commission** (2) appointments to be made by Town Council.

Councilor Vassar moved and Councilor Kuiper seconded the re-appointment of *Dominic Noce*, 2930 Condit and *Greg Kuzmar*, 3139 Lakeside Drive each to a term, which expires on the first day in January 2011. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The persons were appointed.

#### Home Rule Commissions

4. **Community Events Commission:**

(A) (2) appointments to be made by the Town Council. **Term: 4 years.**

Councilor Vassar moved and Councilor Novak seconded the appointment of *John Breslin* and *Liz Breslin*, 8539 Henry Street, each to a term, which expires on January 1, 2014. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The persons were appointed.

(B) (9) appointments to be made by the Town Council. **Term: 1 year.**

Councilor Vassar moved and Councilor Novak seconded the appointment of the following persons to a term ending on January 1, 2011. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The following persons were appointed.

Rose James, 3338 La Porte Drive, Highland  
Vernon D. Sieb, 3024 Lakeside Drive, Highland  
Brandon Wolak, 3836 Highway Avenue, Highland  
Ellen L. Jasin, 3504-81<sup>st</sup> Street, Highland  
Ericka Rozenich, 3106 Farmer Drive, Highland  
Bob Benham, 3930 Jewett Street, Highland  
Kimberly Kosmas, 3629 – 43<sup>rd</sup> Street, Highland

#### *Regional Boards or Commissions*

5. **Lake County Solid Waste Management District Board of Directors** (1) appointment to be made by Town Council. Councilor Kuiper moved the continued appointment of *Bernie Zemen*, 2746 43<sup>rd</sup> Street, Highland, to the Board of Directors of the Lake County Solid Waste Management District, for a term to run co-extensive with his term as a member of the Town Council or until the Town Council would act otherwise. Councilor Zemen seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. Councilor Zemen's appointment was confirmed.

*This appointment was not on the agenda. It was introduced by the Town Council President in the belief that it was an executive appointment. It was noted that it was a legislative appointment. The matter was then addressed by the legislative body without objection.*

#### **Unfinished Business and General Orders:**

1. **Resolution No. 2010-01:** A Resolution of the Fiscal Body Approving and Fixing the Official Charges or Fees for Information and Communication Technology Services Provided by the Municipality to its Executive Departments and Offices and Accounted in the Information and Communication Technology Fund.

Councilor Zemen moved the passage and adoption of Resolution No. 2010-10. Councilor Novak seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The resolution was adopted.

#### **TOWN of HIGHLAND Town Council Resolution No. 2010-01**

**A RESOLUTION OF THE FISCAL BODY OF THE TOWN OF HIGHLAND APPROVING AND FIXING THE OFFICIAL CHARGES OR FEES FOR INFORMATION AND COMMUNICATION TECHNOLOGY SERVICES PROVIDED BY THE MUNICIPALITY TO ITS EXECUTIVE DEPARTMENTS AND OFFICES AND ACCOUNTED IN THE INFORMATION AND COMMUNICATION TECHNOLOGY FUND**

**WHEREAS**, The Town Council of the Town of Highland serves as both the legislative and fiscal body of the municipality, all pursuant to I.C. 36-1-2-6, I.C.36-1-1-2-9 and I.C. 36-5-2-2;

**WHEREAS**, IC 36-1-3-2 and IC 36-1-3-6(b)(1) confer upon local units of government the powers that they need for the effective operation of government as to local affairs and prescribe the manner and form of enactment for any such exercise of power;

**WHEREAS**, The Highland Town Council did adopt and establish an Information and Communication Technology Fund, by adoption of Ordinance No. 1323, amending the Highland Municipal Code by adding a new section § 31.08, which provides for an internal service fund as an accounting entity to which the resources and costs associated with providing information and communication technology services to the municipality will be accounted; and,

**WHEREAS**, Section § 31.08 (F) (1) particularly provides that resources or revenue for these services supported by the internal service fund may consist of *"(i)nterdepartmental charges, contributions, cost shares or assessments levied against funds or departments of the municipality to support the lawful purposes and budget of the Information and Communication Technology Fund;"*

**WHEREAS**, Section § 31.08 (F) (1) (a) still further provides that the *"charges and rates shall be developed and recommended by the proper officers of the municipality and fixed and approved by the Town Council;"*

**WHEREAS**, The proper officers of the municipality have developed and now recommend charges and rates for **FY 2010** to support the costs associated with the provision of information and communication technology services to the municipality and its several executive departments and utilities; and,

**WHEREAS**, The Town Council now desires to fix and adopt the charges and rates as recommended,

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Highland, Lake County, Indiana, as follows:

**Section 1.** That the proper officer(s) of the municipality have developed and now recommend the following annual charge for services for the fiscal year **2010** as follows:

(a) For information and communication technology services provided to the several departments repositied in the **Corporation General Fund, the annual charge is allocated at 25% of costs or \$46,531.00;**

(b) For information and communication technology services provided to the department repositied in the **Park and Recreation Fund, the annual charge is allocated at 20% of costs or \$37,554.00;**

(c) For information and communication technology services provided to the department repositied in the **Redevelopment General Fund, the annual charge is allocated at 5% of costs or \$9,217.00;**

(d) For information and communication technology services provided to the Waterworks Utility, **the annual charge is allocated at 25% of costs or \$46,531.00;**

(e) For information and communication technology services provided to the Wastewater/Stormwater Utility, **the annual charge is allocated at 25% of costs or \$46,531.00;**

**Section 2.** That the Town Council hereby finds and determines that the rates and charges as recommended are consistent with IC 36-1-3-8(a)(6), calculated to include reasonable costs associated with those purposes outlined in Section §31.08 (D) of the Highland Municipal Code;

**Section 3.** That the Town Council hereby now fixes and approves the annual rates and charges as set forth herein, and authorizes the municipal fiscal officer to take such lawful measures to charge and collect the fees herein, either as a single lump sum fee or collected periodically until fully collected, and then to deposit these charges into the **Information and Communication Technology Fund;**

**DULY RESOLVED and ADOPTED** this 13<sup>th</sup> Day of January 2010, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of  
HIGHLAND, INDIANA**

Mark A. Herak, President

Attest:

Michael W. Griffin, IAMC/MMC/CPFA  
Clerk-Treasurer

2. **Proposed Ordinance No. 1449:** An Ordinance Amending the Ordinance Establishing A Select Committee to Plan, Coordinate, and Implement Appropriate Commemoration of the Centennial Anniversary of the Incorporation of the Town of Highland, Lake County, Indiana, by repealing Section 10 of that Ordinance in its Entirety, pursuant to IC 36-1-3 and IC 36-10-2 et seq.

Councilor Novak introduced and moved the consideration of Ordinance No. 1449 at the same meeting of introduction. Councilor Kuiper seconded. Upon a roll call vote, a unanimous vote being necessary, there were five affirmatives and no negatives. The motion passed. The ordinance could be considered by the Town Council.

Councilor Novak moved the passage and adoption of Ordinance No. 1449 at the same meeting of introduction. Councilor Zemen seconded. Upon a roll call vote, a two-thirds vote being necessary, there were five affirmatives and no negatives. The motion passed. The ordinance was adopted.

**TOWN OF HIGHLAND, INDIANA  
ORDINANCE NO. 1449**

**AN ORDINANCE AMENDING THE ORDINANCE ESTABLISHING A SELECT COMMITTEE TO PLAN, COORDINATE, AND IMPLEMENT APPROPRIATE COMMEMORATION OF THE CENTENNIAL ANNIVERSARY OF THE INCORPORATION OF THE TOWN OF HIGHLAND, LAKE COUNTY, INDIANA, BY REPEALING SECTION 10 OF THAT ORDINANCE IN ITS ENTIRETY, PURSUANT TO IC 36-1-3 AND IC 36-10-2 ET SEQ.**

**WHEREAS,** The Town of Highland is a local unit of general government governed by a Town Council, which is both the fiscal and legislative body of the Town;

**WHEREAS,** IC 36-1-3-2 confers upon all local units the powers that they need for the effective operation of government as to local affairs;

**WHEREAS** IC 36-1-3-6 (b)(1) prescribes that any such exercise of power shall be authorized through passage of an ordinance passed by the legislative body;

**WHEREAS,** The Town Council as the governing body for the municipality, may establish, aid, maintain, and operate recreation facilities, cultural, historical programs, pursuant to its general culture and recreation powers conferred in IC 36-10-2;

**WHEREAS,** The Town of Highland, Lake County, Indiana, on April 4, 2010, will mark the centennial of its incorporation as a municipal corporation for the people of Highland;

**WHEREAS,** It is an accepted convention that the 100<sup>th</sup> anniversary of incorporation of a community is matter of great pith and moment, and should be commemorated and acknowledged through a series of activities and events with the object of celebrating this notable hallmark of time;

**WHEREAS,** The Town Council did pass and adopted Ordinance No. 1419 on January 26 2009, which established a the Select Centennial Committee, charged to plan, coordinate, and implement such special events and activities so as to appropriately commemorate the centennial anniversary of the Incorporation of the Town of Highland;

**WHEREAS,** The Town Council now desires to modify the some provisions in that ordinance related to provisions related to funding in order to further perfect the governing ordinance related to the Select Centennial Commission; and,

**WHEREAS,** The Town Council believes this action to be necessary and desirable for the conduct of the affairs of the Town, and in the public interest, consistent with the powers granted under IC 36-1-3 et seq. and IC 36-10-2 et sequitur;

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL FOR THE TOWN OF HIGHLAND, LAKE COUNTY, INDIANA** as follows:

**Section 1** That Section 10 of Ordinance No. 1419 is hereby repealed in its entirety, effective retroactively to January 26, 2009.

**Section 10.** ~~That in addition to the fees set forth in Section § 32.47 of the Highland Municipal Code, or any which may be raised under the authority of Sections §32.40 through § 32.45 of the municipal code, in order to~~

provide support for the activities associated with the commemoration of the centennial of the incorporation of the Town of Highland, a special event surcharge in the amount of ten percent (10%) shall be applied to the ~~gross proceeds of the special event fees and charges collected under Section §32.44(D) of the municipal code, which shall be then deposited into the Special Select Centennial Commission Fund.~~ The surcharge shall be imposed and effective from and after the passage and adoption of this ordinance and remain in force and effect until December 31, 2010. ~~The Clerk-Treasurer shall be authorized to determine the frequency and manner of the collection and deposit of the surcharges.~~

**Section 2.** Any and all such ordinances in conflict with the provisions of this ordinance are hereby repealed and of no further force or effect.

**Section 3.** This ordinance shall become and be in full force and effect from and after the date of its passage and adoption upon its signature by the executive in the manner prescribed by IC 36-5-2-10(a).

Introduced and Filed on the 13<sup>th</sup> Day of January 2010. Consideration on same day or at same meeting of introduction had a vote of 5 in favor and 0 opposed, all pursuant to IC 36-5-2-9.8.

**DULY ORDAINED AND ADOPTED** this 13<sup>th</sup> Day of January 2010, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of  
HIGHLAND, INDIANA**

**Mark A. Herak, President (IC 36-5-2-10)**

**ATTEST:**

**Michael W. Griffin, IAMC/MMC/CPFA  
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)**

3. Consideration of and action regarding a recommended waiver for five months of monthly solid waste user charges, imposed pursuant to Chapter 170 of the Highland Municipal Code. The Clerk-Treasurer prepared a letter (included in packet) regarding the matter and recommends your favor with this waiver, in the amount of \$51.97.

Councilor Zemen moved to accept the recommendation of the Clerk-Treasurer and to grant the waiver for the trash fees for the missed service period. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The fees as recommended were waived.

4. **Action to approve overtime payments for Exempt Salaried Personnel, pursuant to Section 3 of Ordinance No. 1375 the Wage and Salary Ordinance, as amended and Section §4.03.01 of the Compensation and Benefits Ordinance.** This waives the provisions of Section § 2.01 of the Compensation and Benefits Ordinance.  
**(A) *The Police Chief requests favorable action for P. Vassar, who is an exempt salaried officer in the Metropolitan Police Dept., in the amount of \$100.***

Councilor Kuiper moved to approve the overtime payment for P. Vassar in the amount of \$100. Councilor Novak seconded. Upon a roll call vote, there were four affirmatives, no negatives and one abstention. With Councilors Zemen, Novak, Kuiper and Herak voting in the affirmative and Councilor Vassar abstaining, the motion passed. The overtime payment was approved. Councilor Vassar indicated his abstention was due to the concern for the appearance of a conflict of interest as the subject of the motion was his brother.

- (B) *The Public Works Director requests favorable action for K. Huzzie, who is an exempt salaried worker, supervising the Streets and Sanitation (Solid Waste) Division, in the amount of \$241.50***

Councilor Kuiper moved to approve the overtime payments for K. Huzzie in the amount of \$241.50. Councilor Vassar seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The overtime pay was approved.



**5. Action to approve appointment or employment of full-time employee, pursuant to Section §3.03 of the Compensation and Benefits Ordinance.**

(A) *The Public Works Director requests favorable action for E. Daniel, who is recommended for hire to the position of Dispatch Clerk in the Public Works Department, succeeding L. Schneider, who is retiring with her last working day on January 8, 2010.*

Councilor Zemen moved to approved the employment of the full-time worker, E. Daniel, for the position in the Public Works Department. Councilor Vassar seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. E. Daniel was approved for hire.

**Comments from the Town Council Members**

**Councilor Bernie Zemen:**

Councilor Zemen offered congratulations to Councilor Herak on his election as President. Councilor Zemen acknowledged the Redevelopment Director who noted that the Redevelopment Commission would be meeting on January 20, 2010. The Redevelopment Director also reported that she has been receiving interest from restaurants regarding the Riverfront Development District.

**Councilor Dan Vassar:**

Councilor Vassar offered his congratulations to the Town Council President and the Vice President on their election. Councilor Vassar expressed his appreciation for his opportunity to serve as Town Council President in the year just ended.

Councilor Vassar noted and welcomed the several persons in attendance who were students in the Indiana University Northwest Class, instructed by the Clerk-Treasurer, in Local Government.

**Councilor Brian Novak:**

Councilor Novak offered his congratulations to the Town Council President and the Vice President on their election. Councilor Novak commended Councilor Vassar for his service as the Town Council President.

**Councilor Konnie Kuiper:**

Councilor Kuiper had no comments.

**Agenda amendment.** Councilor Kuiper moved to amend the agenda to permit consideration of the appointments to the Traffic Safety Commission. Councilor Vassar seconded. Upon a roll call vote, a two-thirds vote being necessary, there were five affirmatives and no negatives. The motion passed. The agenda was amended.

**Traffic Safety Commission (6)** appointments to be made by Town Council. The composition is to consist of no less than six (6) members consisting of one (1) from Town Council, two (2) from Police Department, one (1) from Fire Department, one (1) from Public Works, and (1) one Police Commission. The Chief of Police shall serve as chairman of the commission. The Chief shall appoint a secretary.

Councilor Zemen moved the appointment of the following persons as assigned to the Traffic Safety Commission, for a term to run until 31 December 2010. Councilor Vassar seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The following persons were re-appointed.

Brian Novak	Town Council Member
Sgt. John Banasiak	Police Representative
William Timmer, CFOD	Fire Department Representative
John Bach	Public Works Department Representative
Jim DeGraaf	Metropolitan Police Commission representative
Peter T. Hojnicky, Chairman ( <i>ex-officio</i> ) and	Police Representative

**Councilor Mark Herak:** *Town Executive*

The Town Council President announced the following committee and liaison assignments:

Mark Herak	Budget Committee Chair Board of Sanitary Commissioners, Liaison Board of Waterworks Directors, Liaison Community Events Commission
Bernie Zemen	Town Board of Metropolitan Police Commissioners, Liaison Park and Recreation Board, Liaison Chamber of Commerce, Liaison President's designee, Centennial Commission
Dan Vassar	Redevelopment Commission, Liaison
Brian Novak	Advisory Board of Zoning Appeals, Liaison
Konnie Kuiper	Fire Department, Liaison

The Town Council will serve as the Insurance Committee.

The Town Council President also acknowledged Boy Scouts Max Renner and Sam Renner, joined by their Mother, who were present in consequence of work toward a Boy Scout Badge.

Councilor Novak departed from the meeting at this time.

**Comments from the Public or Visitors.**

1. Rick Volbrecht, 9221 Parkway Drive, commented on the process of petition and remonstrance then underway associated with the proposed \$10 million capital lease financing of the retrofit and reconstruction for the Lincoln Community Center. Mr. Volbrecht, noting that the petition and remonstrance process was certified to the issuing body on February 13, 2009, asserted his belief that the Park and Recreation Board should have published the proper notice triggering the actual tolling of time within 30 days following the certification. He noted that the notice was not published until December 2009. Mr. Volbrecht then presented a copy of correspondence written from the Commissioner of the Indiana Department of Local Government Finance to Mr. Joseph Wszolek in which Mr. Volbrecht stated that the Commissioner expresses the same opinion regarding the timing of the notice.

**Payment of Accounts Payable Vouchers.** There being no further business from the public or visitors, Councilor Vassar moved to allow the accounts payable vouchers as filed on the pending pay docket, covering the period December 30, 2009 through to January 13, 2010.

Councilor Kuiper seconded. Upon a roll call vote, there were four affirmatives and no negatives. The motion passed. The accounts payable vouchers were allowed and the clerk-treasurer was authorized to make payment.

**General Fund, \$2,379,521.74 Motor Vehicle Highway and Street (MVH) Fund, \$43,088.52; VIPS/Park Public Safety Fund, \$1,181.57; Law Enforcement Continuing Education and Training Fund, \$255.61; Insurance Premium Fund, \$117,053.77; Information and Communications Technology Fund, \$11,876.87; Solid Waste District Grant Fund, \$104,746.34; Rainy Day Fund, \$65,500.00; Municipal Cumulative Capital Development Fund, \$27,182.62; Traffic and Law Violations Agency Fund, \$1,741.50; Corporation Capital Fund, \$21,370.41; Total: \$2,773,518.95.**

**Adjournment.** Councilor Kuiper moved that the regular meeting be adjourned. Councilor Zemen seconded. Upon a vote viva voce, the motion passed. The regular (rescheduled) meeting of the Town Council meeting of **Wednesday, January 13, 2010** was adjourned at 7:34 O'clock p.m.

There was no study session following the meeting.

Michael W. Griffin, IAMC/MMC/CPFA  
Clerk-Treasurer